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OFFICE OF PETITIONS

In re Application of :
D'Hers, et al. :
Application No. 10/777,918 : **DECISION GRANTING PETITION**
Filed: February 12, 2004 :
Attorney Docket No. MSFT-2927/306959.01 :

This is a decision on the petition filed March 12, 2004, under 37 CFR 1.10 requesting that the above-cited application be accorded a filing date of February 12, 2004, rather than the presently accorded filing date of February 11, 2004.

Petitioner alleges that the application was deposited with the Express Mail Service on February 12, 2004, but that the date-in on the Express Mail label was incorrectly entered as February 11, 2004. In support of the allegation, the petition is accompanied by a copy of the Express Mail postcard with a tracking number EL969195836US showing a "date-in" of February 11, 2004, and a transaction receipt with a date of February 12, 2004 reflecting the same tracking number. The evidence is convincing that the application papers were deposited on February 12, 2004, but that the "date-in" was incorrectly entered as February 11, 2004.

In view of the above, the petition is granted. The new filing date for the above-cited application is February 12, 2004.

The Office of Initial Patent Examination will further process the application with a filing date of February 12, 2004, and issue a corrected filing receipt.

Any inquiries related to this decision should be directed to the undersigned at (703) 305-0010.

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions